

CITY OF HASTINGS, NEBRASKA
MINUTES OF CITY COUNCIL REGULAR MEETING
Monday, July 8, 2024

Pursuant to due call and notice thereof, a Regular Meeting of the City Council of the City of Hastings, Nebraska was conducted at the Hastings Municipal Airport, 3300 West 12th Street, on July 8, 2024.

The meeting was called to order at 5:30 p.m. in Regular Session by Mayor Stutte with the following members present: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Absent: None.

The following City Officials were present: City Administrator, Shawn Metcalf; Asst. City Administrator, Mark Funkey; City Attorney, Jesse Oswald; Utility Manager, Derek Zeisler; City Clerk, Kimberly Jacobitz; Police Chief, Adam Story; Fire Chief, Brad Starling; Parks & Recreation Director, Jeff Hassenstab; Finance Director, Roger Nash; Information Technology Director, Erik Nielsen; Director of Engineering, Lee Vrooman; Director of Development Services, Chad Bunger; Director of Human Resources, Lori Hartman; Library Director, Amy Dissmeyer; Public Information Manager, Tony Herrman; Safety Director, Trent Clark; City Planner Ember Batelaan; Environmental Engineering, Marty Stange.

The Pledge of Allegiance to the Flag of the United States of America was recited.

Moved by Butch Eley seconded by Shawn Hartmann to adopt current agenda for July 8, 2024 Regular Meeting. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. Absent: None. The motion carried.

PUBLIC NOTICE - Official Notice of the Regular Meeting was published in the Hastings Tribune on Wednesday, July 3, 2024. Pursuant to Nebraska Revised Statute Section 84-1412, the public is advised that a copy of today's agenda and all reproducible written material which will be discussed at today's meeting is available for public review and a current copy of the Nebraska Open Meetings Act is posted and accessible to members of the public.

COUNCIL COMMUNICATION:

Councilmember Fong thanked staff for city cleanup and restoration of power after the recent storms. Councilmember Rowan thanked all in attendance for showing up to the meeting.

CITIZEN COMMUNICATIONS:

Ordinance 4761: Chuck Conrad, 1223 E 7th; Travis Augustin, 13750 W 70th, Juniata; Mike Anderson, 1405 S Baltimore; Shannon Landauer, Hastings Economic Development Corporation (HEDC), 1117 Highland.

MAYOR'S COMMUNICATIONS:

Mayor Stutte thanked employees for their work over the past few weeks after recent storm events.

Mayor Stutte recognized service anniversaries for Marina Richards, Engineering, 15; Lloyd Brown, Utility, 35; David Sheppard, Utility, 35; Kaitlyn Karr, Museum, 10; Kirk Rosberg, Museum, 25; Brandon DeJonge, Street, 20.

CONSENT AGENDA:

1. All Consent Items.

Moved by Shawn Hartmann seconded by Matt Fong to approve the consent agenda as presented. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc

Rowan, Shawn Hartmann, Matt Fong. Nays: None. Absent: None. The motion carried.

(a) Approval of the minutes of the Council Meeting of June 24, 2024

(b) Approval of the minutes of the Worksession of June 17, 2024

(c) Approval of claims and payroll except the claim of Eldon's Automotive Repair

(d) Receive and place on file Adams County Clerk's abstract of votes cast at the May 14, 2024, Primary Election

(e) Approval of the request of the Adams County Ag Society to utilize city property for the Kool-Aid Days Parade on August 17, 2024

(f) Approval of the request of the Adams County Ag Society to utilize city property for the Kool-Aid Days Fun Run on August 18, 2024

(g) Approval of Work Order GA-359, replacement of low pressure gas distribution system in the alley between 1st Street and 2nd Street and from Burlington Avenue to Lincoln Avenue

REGULAR AGENDA:

2. Unfinished Business of Preceding Meeting.

None.

3. Public Hearings.

(a) Public hearing on the request of Mother Lake, LLC for a Conditional Use Permit for a medical clinic for property commonly addressed as 2120 North Kansas Avenue, Hastings, Nebraska.

Ember Batelaan, City Planner, reported that this proposes to convert the old Ponderosa Bowling Alley property into a medical office building. The parking lot will be completely redone, but access points off of 22nd and Kansas Avenue will be maintained. They will add landscaping. Future tenants will be medical practices looking to expand their services. The property is currently used for storage for a local business. The renovated building will meet all city requirements for parking, water, and utilities. Planning Commission recommended approval. Spoke in Support: Shannon Landauer, HEDC.

Moved by Butch Eley seconded by Matt Fong to approve Resolution No. 2024-42 approving the request of Mother Lake, LLC for a Conditional Use Permit for a medical clinic for property commonly addressed as 2120 North Kansas Avenue, Hastings, Nebraska. Jordan Adam, 800 W 3rd (Developer) spoke about the development. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Matt Fong. Nays: None. Abstain: Shawn Hartmann. Absent: None. The motion carried. Shawn Hartmann abstained from the vote, per conflict of interest.

4. General Business.

(a) Moved by Shawn Hartmann seconded by Matt Fong to approve claim of Eldon's Automotive Repair in the amount of \$336.15 (City). Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. Abstain: Joy Huffaker. Absent: None. The motion carried. Joy Huffaker abstained from the vote, per conflict of interest.

(b) Moved by Matt Fong seconded by Shawn Hartmann to approve the Final Plat of Fairway Subdivision. Chad Bunker reported that the development site is identical to the preliminary plat approved by City Council on June 10, 2024. Planning Commission recommended approval. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. Absent: None. The motion carried.

(c) Moved by Butch Eley seconded by Shawn Hartmann to approve the Final Plat of the Hastings College Second Subdivision. Chad Bunker reported that the final plat is nearly identical to the preliminary plat approved by City Council on June 10, 2024. Planning Commission recommended approval. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. Absent: None. The motion carried.

5. Ordinances and Resolutions.

(a) Moved by Shawn Hartmann seconded by Matt Fong to approve Resolution 2024-40 approving deferral of the special assessment for agricultural use. Jesse Oswald reported that the City received a deferral for a special assessment for the M Street water main extension. There is a 90-day requirement for the applicant from date of creation of the district to submit the application. City Council may approve the application upon determination of the following: property is zoned agricultural and used exclusively for agricultural purposes, and the owner of the property has notified the Register of Deeds of the application. The city has verified these requirements. This property is along M Street by the Adams County jail. Travis Augustin, Ruhter Auction Realty/Farm Manager, spoke on the request for deferral. Pierce Fiala, 200 North Burlington, legal counsel representing Midwest Farm Management and property owner spoke on the deferral. Jesse Oswald stated that the resolution will be filed on the property with the Register of Deeds. Lee Vrooman reported that the main serves the county jail and Noah's Ark. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. Absent: None. The motion carried.

(b) Moved by Matt Fong seconded by Shawn Hartmann to approve Resolution 2024-41 providing for the Manager of Utilities, Finance Director/City Treasurer, Director of Engineering, and Assistant Finance Director, as signatories on all Hastings Utilities' bank and financial accounts. Jesse Oswald reported that this is an update to a resolution passed in 2019 to reflect changes in titles and individuals holding those titles. He stated that specific names are a requirement of the bank for signatories. Roger Nash stated that the Mayor and City Clerk are authorized signatories already for signing all checks, so this is to allow others to go into the bank and do banking business, as opposed to signing checks. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. Absent: None. The motion carried.

(c) Moved by Shawn Hartmann seconded by Butch Eley to approve Resolution No. 2024-43 requesting assistance from South Central Economic Development District, Inc. in the completion of a Community Development Block Grant Application for a 2024 Public Works - Infrastructure Grant Application to support the repairs and improvements of water mains and fire hydrants in the K & K Manufactured Home Community and Nebraskan Manufactured Home Community. Chad Bunker reported on the resolution to allow SCEDD to begin drafting the application for the CDBG Public Works - Infrastructure Grant. This grant will provide funding assistance for the property owner to repair and improve the water lines and fire hydrants. Any required matching funds for the grant will be provided by the property owner. This project will be public water for fire suppression only, not potable water. This would become a public main that the city would maintain. Lee Vroom stated that we would only maintain the fire line, not their potable system. Chad gave a rough timeline of working with SCEDD and property owners to complete the grant. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. Absent: None. The motion carried.

(d) ORDINANCE NO. 4764 VACATING PART OF THE 14 FOOT ALLEY ABUTTING LOT 6 AND LOT 7, BLOCK 13 IN HASTINGS, NEBRASKA

Said Ordinance was read by title and thereafter Councilmember Butch Eley moved for passage of the ordinance, which motion was seconded by Councilmember Shawn Hartmann. Upon roll call vote the following Councilmembers voted Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. Absent: None. The motion carried.

Lee Vrooman reported that vacating the remainder of this alley would allow for conveyance of the property and the subsequent replat by the property owner.

Councilmember Shawn Hartmann moved that the statutory rule requiring reading on three different days be suspended; Councilmember Matt Fong seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. Absent: None. The motion to suspend the rules was adopted by three fourths vote of the Council and the statutory rule was declared suspended for consideration of said ordinance. The ordinance is declared to be lawfully adopted upon publication as required by law.

(e) ORDINANCE NO. 4763 AUTHORIZING THE CONVEYANCE OF PART OF THE VACATED 14 FOOT ALLEY ABUTTING LOT 6 AND LOT 7, BLOCK 13, IN HASTINGS NEBRASKA

Said Ordinance was read by title and thereafter Councilmember Shawn Hartmann moved for passage of the ordinance, which motion was seconded by Councilmember Matt Fong. Upon roll call vote the following Councilmembers voted Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. Absent: None. The motion carried.

Councilmember Shawn Hartmann moved that the statutory rule requiring reading on three different days be suspended; Councilmember Butch Eley seconded the motion to suspend the rules and upon roll call vote the following Councilmembers voted Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. Absent: None. The motion to suspend the rules was adopted by three fourths vote of the Council and the statutory rule was declared suspended for consideration of said ordinance. The ordinance is declared to be lawfully adopted upon publication as required by law.

6. Final Passage of Ordinances.

(a) ORDINANCE NO. 4761 AMENDING THE ZONING DISTRICT MAP TO CHANGE ZONING FROM R-1A, SINGLE-FAMILY RESIDENTIAL LARGE LOT TO R-3, MULTIPLE-FAMILY RESIDENTIAL DISTRICT FOR PROPERTY GENERALLY LOCATED TO THE SOUTHWEST OF THE INTERSECTION OF EAST 26TH STREET AND NORTH ELM STREET AND TO AMEND THE OFFICIAL ZONING DISTRICT MAP

Moved by Shawn Hartmann seconded by Jeniffer Beahm to approve Ordinance No. 4761 on final reading. Councilmember Eley commented that the city is 1300 housing units down. It is important to work on low-income, workforce, and high-end housing. Roll Call: Ayes: Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Shawn Hartmann, Matt Fong. Nays: Marc Rowan. Abstain: Steve Huntley. Absent: None. The motion carried.

(b) Moved by Butch Eley seconded by Shawn Hartmann to approve the Final Plat of the Elm 26 Subdivision. Chad Bunker reported that the developer wanted to plat in phases. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Shawn Hartmann, Matt Fong. Nays: Marc Rowan. Absent: None. The motion carried.

7. Appointments.

None.

8. Miscellaneous and Other Business.

None.

Moved by Steve Huntley seconded by Butch Eley there being no further business to come before City Council to adjourn at 6:27 P.M. Roll Call: Ayes: Steve Huntley, Jeniffer Beahm, Brad Consbruck, Butch Eley, Joy Huffaker, Marc Rowan, Shawn Hartmann, Matt Fong. Nays: None. Absent: None. The motion carried.

APPROVED:

Corey Stutte, Mayor

ATTEST:

Kimberly S. Jacobitz, City Clerk

(S E A L)